

10/15/04  
10367

Docket Number 4-31831C

**FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10**

EL997254495US

Express Mail Label Number

January 15, 2004

Date of Deposit



Address to: MS: Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**UTILITY PATENT APPLICATION TRANSMITTAL AND FEE SHEET**

Transmitted herewith for filing under 37 CFR §1.53(b)(2) is a **continuation-in-part** of prior Application No. 09/735,438, filed December 13, 2001.

Applicant (or identifier): CAMPBELL ET AL.

Title: FAMCICLOVIR MONOHYDRATE

Enclosed are:

1.  Specification (Including Claims and Abstract) - pages
  2.  Drawings - sheets
  3. Declaration and Power of Attorney
    - a.  Newly executed (original or copy)
    - b.  Copy from a prior application (signed or with indication that original was signed)
      - i.  Deletion of Inventors  
Signed statement attached deleting inventor(s) named in the prior application
  4.  Incorporation By Reference  
The entire disclosure of the prior application, from which a copy of the Declaration and Power of Attorney is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
  5.  Microfiche Computer Program (appendix)
  6. Nucleotide and/or Amino Acid Sequence Submission
    - Computer Readable Copy
    - Paper Copy
    - Statement Verifying Identity of Above Copies
  7.  Preliminary Amendment
  8.  Assignment Papers (Cover Sheet & Document(s))
  9.  English Translation of
  10.  Information Disclosure Statement
  11.  Certified Copy of Priority Document(s)
  12.  Return Receipt Postcard
  13.  Other: Application Data Sheet, Unexecuted Declaration and Power of Attorney, copy of Petition for Extension of Time filed in prior application no. 09/735,438
- The right to elect an invention or species that is different from that elected in parent Application No. 09/735,438 in the event of a restriction or election of species requirement that is identical or substantially similar to that made in said parent application is hereby reserved.

Filing fee calculation:

- Before calculating the filing fee, please enter the enclosed Preliminary Amendment.

Before calculating the filing fee, please cancel claims

Basic Filing Fee							\$ 770
Multiple Dependent Claim Fee (\$ 290)							\$
Foreign Language Surcharge (\$ 900)							\$
	For	Number Filed		Number Extra		Rate	
Extra Claims	Total Claims	8	-20	0	x \$ 18 =	\$	
	Independent Claims	2	-3	0	x \$ 86 =	\$	
TOTAL FILING FEE							\$ 770

- Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$770. An additional copy of this paper is enclosed. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.16 and §1.17 which may be required in connection with this application, or credit any overpayment, to Deposit Account No. 19-0134 in the name of Novartis.

Please address all correspondence to the address associated with Customer No. 001095, which is currently:

Thomas Hoxie  
Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 430  
East Hanover, NJ 07936-1080

Please direct all telephone calls to the undersigned at the number given below and all telefaxes to (973) 781-8064.

Respectfully submitted,

Date: January 15, 2004

  
Thomas R. Savitsky  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**IN RE APPLICATION OF**  
**CAMPBELL ET AL.**  
**APPLICATION NO: 09/735,438**  
**FILED: DECEMBER 13, 2001**  
**FOR: FAMCICLOVIR MONOHYDRATE**

Examiner: Mark L. Berch  
Art Unit: 1624

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME**

Sir:

The Office Action of July 15, 2003 in the above-identified application has a shortened statutory time set to expire on October 15, 2003. A three-month extension is hereby requested pursuant to 37 CFR §1.136(a).

The response to said Office Action is the filing of a Continuation-In-Part application of the above-identified application.

The above-noted application is hereby expressly abandoned, as of the filing date granted to the Continuation-In-Part, provided that this petition for extension of time be approved and that the Continuation-In-Part be granted a filing date.

Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$950 for payment of the extension fee. An additional copy of this paper is here enclosed. The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

Respectfully submitted,

*Thomas R. Savitsky*  
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Date: January 15, 2004